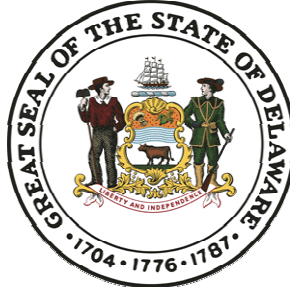


State of Delaware



Executive Department
Dover

DECLARATION OF A STATE OF EMERGENCY FOR THE STATE OF DELAWARE DUE TO A SEVERE WINTER STORM

WHEREAS, a severe winter storm with significant snowfall accumulations expected in all three counties of the State of Delaware, the second in five days; and

WHEREAS, the predicted weather will likely create dangerous and life-threatening conditions and result in additional public safety responses from treacherous road conditions in all or parts of each county; and

WHEREAS, response and recovery activities are still occurring following the winter storm of Feb. 5 and 6, 2010, including plowing, shelter and power restoration activities; and

WHEREAS, the weather conditions have the potential to cause additional safety issues to our citizens as well as damage and destruction to property; and

NOW THEREFORE, I, JACK A. MARKELL, pursuant to Title 20, Chapter 31 of the Delaware Code, do hereby declare a State of Emergency for the entire State of Delaware. This State of Emergency is effective at February 10, 2010 at 12:01 a.m. E.S.T. and continuing until

terminated as provided under state law. The nature of the emergency is heavy snowfall, potentially high winds, whiteout conditions and minor coastal flooding. Along with such other actions authorized by Title 20, Chapter 31 of the Delaware Code, I specifically direct and authorize:

1. All departments and agencies of the State of Delaware shall assist in response and recovery activities, as directed by and in coordination with the Delaware Emergency Management Agency, in consultation with the Secretary of Safety and Homeland Security, necessary in those areas affected by the storm.
2. As of 12:01 a.m. February 10, 2010 and until further notice, no motor vehicles are to be operated on any road in the state of Delaware, unless such vehicles are being operated by essential personnel. Essential personnel shall include authorized personnel responding to the State of Emergency, peace officers, emergency management or rescue personnel, medical personnel, utility personnel, snow clearance and building and systems maintenance personnel, members of the media, carriers and drivers of commercial motor vehicles transporting commodities such as heating oil, propane, gasoline and salt, or staple grocery supplies to food stores, or deliveries of agricultural products necessary to maintain the life of livestock, and employees of critical 24/7 facilities such as health care facilities, commercial facilities and correctional institutions. Private sector businesses are strongly urged to consider the safety of their employees and the restriction of travel during the storm when deciding whether to remain operating.
3. In order to enforce paragraph 2 of this Order, state and local officials are directed to remove abandoned vehicles from roads in the State of Delaware at the expense of the vehicle owner.
4. The Delaware National Guard shall take precautionary or responsive actions directed by the Director of the Delaware Emergency Management Agency, in consultation with the Secretary of Safety and Homeland Security, upon request by local authorities.
5. Government entities subject to bidding requirements are exempted from those bidding requirements for the purpose of purchasing materials necessary for responding to this snow and wind emergency.
6. I authorize the Delaware Department of Transportation and the Delaware State Police, in consultation with the Delaware Emergency Management Agency and the Secretary of Safety and Homeland Security, to order such bridge and road closures as necessary to protect the health and safety of the public.

7. The Delaware Emergency Management Agency shall activate the State Emergency Operations Plan and cooperate with federal entities in making applications, if necessary, for relief and assistance for those towns and communities adversely affected by snow, winds and coastal flooding, pursuant to the State Emergency Operations Plan of the State of Delaware and any potentially applicable federal disaster or emergency relief laws, including, but not limited to, the Stafford Disaster Relief and Emergency Assistance Act. The director of DEMA, or his designee, shall be the Governor's Authorized Representative with respect to interaction with FEMA.
8. I reserve the right to take or direct state or local authorities to take, without issuance of further written order, any other necessary actions authorized by Title 20, Chapter 31 of the Delaware Code to respond to this emergency.

APPROVED this 9th day of February, 2010, at 11:35 p.m.

Jack Markell

Governor